



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,924	12/05/2001	James M. McArdle	AUS920010930US1	9803

7590 03/30/2005

Frank C. Nicholas
CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, IL 60201

EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
----------	--------------

2194

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 10/004,924	Applicant(s) MCARDLE, JAMES M.	
	Examiner Charles E Anya	Art Unit 2194	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Paul Helosco. (3) ____.
- (2) Charles E. Anya. (4) ____.

Date of Interview: 28 March 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: ____.

Claim(s) discussed: 1, 2 and 4.

Identification of prior art discussed: U.S. Pat. No. 5,805,884 (Sitbon et al); U.S. Pat. No. 6,243,862 B1 (Lebow).

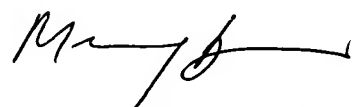
Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner agrees to reconsider the use of the Lebow prior art reference, especially Applicant's argument that the test operator (Col. 11 lines 55-57) is a human operator rather than an application program.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

76